



**PATENT**

Attorney Docket No. VACCINE-07971

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David R. Milich *et al.*

Serial No.: 10/630,074

Group No.: 1648

Filed: 07/30/2003

Examiner: Brown, T.M.

Entitled: **Human Hepatitis B Virus Core Proteins As Vaccine Platforms And Methods Of Use Thereof**

## INTERVIEW SUMMARY

### MS Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

#### CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

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Dated: February 16, 2006

By: \_\_\_\_\_


  
Cliff Cannon-Cin

Dear Sir:

On January 9, 2006, Timothy Brown, James Housel, Christine Lekutis, and Eric Furman discussed proposed Claims 56-63, submitted to the Office on January 5, 2006. The draft claims were found to overcome the enablement and anticipation rejections of record but the Office requested that the claims require that the addition of nucleotides that encode an acidic amino acid reduce the isoelectric point of the heterologous antigen encoded by the first nucleic acid below 7.0. The Office also requested that Applicants indicate that one of skill in the art given the teachings of the application, the knowledge of the art at the time of filing and without undue experimentation would appreciate the amino acids of the hepadnavirus core antigen that can be

mutated without disrupting assembly of the particle. Applicants understood that upon providing the above-referenced limitation and evidence an allowance of the claims would be given.

Dated: February 16, 2006

By:   
Christine A. Lekutis  
Registration No. 51,934

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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0034

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

20

Application Number

10/630,074

Filing Date

07/30/2003

First Named Inventor

David R. Milich

Art Unit

1648

Examiner Name

Brown, T.M.

Attorney Docket Number

VACCINE-07971

### ENCLOSURES (Check all that apply)



Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)



Reply to Missing Parts/  
Incomplete Application



Reply to Missing Parts  
under 37 CFR 1.52 or 1.53



Drawing(s)



Licensing-related Papers



Petition



Petition to Convert to a  
Provisional Application



Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

Remarks



After Allowance Communication to TC



Appeal Communication to Board  
of Appeals and Interferences



Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)



Proprietary Information



Status Letter



Other Enclosure(s) (please identify  
below):

Interview Summary

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Medien & Carroll, LLP

Signature

Printed name

Christine A. Lekutis

Date

February 16, 2006

Reg. No.

51,934

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

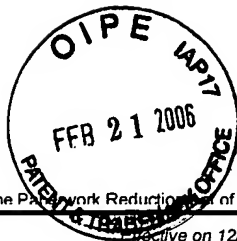
Cliff Cannon-Cin

Date

February 16, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04v2)

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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL**  
**For FY 2005**☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 975.00**Complete if Known**

Application Number	10/630,074
Filing Date	07/30/2003
First Named Inventor	David R. Milich
Examiner Name	Brown, T.M.
Art Unit	1648
Attorney Docket No.	VACCINE-07971

**METHOD OF PAYMENT** (check all that apply)☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☒ Deposit Account Deposit Account Number: 08-1290 Deposit Account Name: Medlen & Carroll, LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, **except for the filing fee**☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	<u>Small Entity</u> Fee (\$)	Fee (\$)	<u>Small Entity</u> Fee (\$)	Fee (\$)	<u>Small Entity</u> Fee (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

**2. EXCESS CLAIM FEES**Fee Description

Each claim over 20 (including Reissues)

<u>Fee (\$)</u>	<u>Small Entity</u> <u>Fee (\$)</u>
50	25
200	100
360	180

Each independent claim over 3 (including Reissues)

Multiple dependent claims

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
<u>61</u> - 20 or HP =	<u>30</u> x	<u>25</u> =	<u>750</u>

HP = highest number of total claims paid for, if greater than 20.

<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
<u>4</u> - 3 or HP =	<u>0</u> x	<u>  </u> =	<u>  </u>

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
<u>  </u> - 100 =	<u>  </u> / 50 =	<u>  </u> (round up to a whole number) x	<u>  </u> =	<u>  </u>

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): two-month extensionFees Paid (\$)225**SUBMITTED BY**

Signature	<u>Christine A. Lekutis</u>	Registration No. (Attorney/Agent) 51,934	Telephone 415.904.6500
Name (Print/Type)	Christine A. Lekutis		Date February 16, 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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